

**From:** McClintock, Katie  
**Location:** R10Sea-Room-12Maple/R10-Rooms-Service-Center  
**Importance:** Normal  
**Subject:** hold for bullseye conversation if necessary  
**Start Date/Time:** Mon 2/8/2016 10:00:00 PM  
**End Date/Time:** Mon 2/8/2016 11:00:00 PM

Ex. 6 - Personal Privacy code: Ex. 6 - Personal Privacy

I'll be in Portland but everyone looks free and it seems worth getting something on the calendar to continue the discussion.

**To:** McClintock, Katie[McClintock.Katie@epa.gov]  
**From:** Downey, Scott  
**Sent:** Thur 2/25/2016 10:18:30 PM  
**Subject:** RE: Canceled: ARCU Unit Meeting [Ex. 6 - Personal Privacy] Code [Ex. 6 - Personal Privacy]

Are you still here in the office?

~~~~~  
Scott Downey, Manager  
Air and RCRA Compliance Unit  
EPA Region 10, OCE-101  
1200 6th Ave, Suite 900  
Seattle, WA 98101, (206) 553-0682

-----Original Message-----

From: McClintock, Katie  
Sent: Thursday, February 25, 2016 2:05 PM  
To: Downey, Scott <Downey.Scott@epa.gov>  
Cc: Keenan, John <keenan.john@epa.gov>; Cunningham, Roylene <Cunningham.Roylene@epa.gov>; Lambert, Aaron <lambert.aaron@epa.gov>  
Subject: Re: Canceled: ARCU Unit Meeting [Ex. 6 - Personal Privacy] Code [Ex. 6 - Personal Privacy]

Wanna talk about colored glass work and what capacity folks have?

Sent from my iPhone

> On Feb 25, 2016, at 2:00 PM, Downey, Scott <Downey.Scott@epa.gov> wrote:  
>  
> So many of us are swamped today that I'm going to cancel the unit meeting. I'll try to send out some notes from the last few management meetings tomorrow but I don't think there was anything earth shattering. Enjoy your extra hour!  
>  
>  
> Moved time to 2:30 due to conflict with active shooter training.  
>  
> <meeting.ics>

**To:** McClintock, Katie[McClintock.Katie@epa.gov]  
**Cc:** Keenan, John[keenan.john@epa.gov]; Cunningham, Roylene[Cunningham.Roylene@epa.gov]; Lambert, Aaron[lambert.aaron@epa.gov]  
**From:** Downey, Scott  
**Sent:** Thur 2/25/2016 10:18:07 PM  
**Subject:** RE: Canceled: ARCU Unit Meeting [Ex. 6 - Personal Privacy] code [Ex. 6 - Personal Privacy]

Yea, I suppose we should do that ASAP. Can everyone meet in 10S at 2:30?

~~~~~  
Scott Downey, Manager  
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> <meeting.ics>

**To:** McClintock, Katie[McClintock.Katie@epa.gov]  
**From:** Downey, Scott  
**Sent:** Tue 2/9/2016 6:06:17 AM  
**Subject:** Re: update

Thanks for the update. Let's talk in the morning. Hopefully, I'll make it in and I'm free until 10:00. I've been keeping Ed informed about activities and potential decision points. Not real keen on you taking complaints directly but we can talk about it. I'll check on comp time. Ed has to approve now but I don't see a problem. I'll talk to Rhonda or Debra. Good call this afternoon ... is great to see all the different offices stepping up. Paul put together a mail group which you'll see but some suggested there should be a lead/lead office. I think we're doing OK without that for now but I have a check in with Ed tomorrow.

Sent from my EPA iPhone

On Feb 8, 2016, at 9:01 PM, McClintock, Katie <[McClintock.Katie@epa.gov](mailto:McClintock.Katie@epa.gov)> wrote:

Hey Scott –

Enforcement confidential

Today went well I wanted to give you a more thorough update than I could do today.

Re: Bullseye Glass. Paul facilitated a conversation with him, Dave, Zach and I.

Ex. 5 - Deliberative Process

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Tomorrow we will go to apes all day. Then Wednesday morning will be any left over apes/orcco and then to bullseye in the afternoon. Thursday we will do any super last minute and hit the road earlyish morning.

Please call me on my cell if you need anything.

Ex. 6 - Personal Privacy

Last quick note, I am going to come upon a maxiflex problem soon. I worked 14.5 hours extra yesterday and 3.5 hours extra already today. It is likely I will be above 24 hours by Friday and if not, soon after, and not necessarily in any position to take time off with all of my commitments. I mentioned this to zach and he says his supervisor approves normal comp time in these situations. We have never discussed before, but the circumstances are certainly unique now and I'd hate not to be able to do what is required. I am happy to put in the time, so let me know what you think.

Katie

Katie McClintock

Air Enforcement Officer

EPA Region 10

1200 Sixth Avenue, Suite 900, OCE-101

Seattle, WA 98101

Phone: 206-553-2143

Fax: 206-553-4743

[Mcclintock.katie@epa.gov](mailto:Mcclintock.katie@epa.gov)

**To:** McClintock, Katie[McClintock.Katie@epa.gov]  
**From:** Downey, Scott  
**Sent:** Sat 2/6/2016 2:50:02 AM  
**Subject:** Fw: Heads up on emerging issue in PDX.

---

**From:** Bray, Dave  
**Sent:** Friday, February 5, 2016 9:38 AM  
**To:** Narvaez, Madonna; Elleman, Robert; Koprowski, Paul; Downey, Scott; Dossett, Donald  
**Cc:** Islam, Mahbubul  
**Subject:** RE: Heads up on emerging issue in PDX.

But whether or not they are subject to the MACT or area source rule, it appears that there could still be a local health issue so I think we need to identify all of the plants that are using these hazardous metals.

---

**From:** Narvaez, Madonna  
**Sent:** Friday, February 5, 2016 9:25 AM  
**To:** Elleman, Robert; Koprowski, Paul; Downey, Scott; Bray, Dave; Dossett, Donald  
**Cc:** Islam, Mahbubul  
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**Cc:** Islam, Mahbubul <Islam.Mahbubul@epa.gov>  
**Subject:** RE: Heads up on emerging issue in PDX.

Our resourceful James Lopez-Baird in OEA pulled together a list of all the glass manufacturers in our four R10 states. See the attachment.

### Ex. 5 - Deliberative Process

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James says he can put all the information on an interactive GIS web page for us so we can explore it geographically for ourselves. He estimated he would get to it tomorrow morning.

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**To:** Elleman, Robert <Elleman.Robert@epa.gov<mailto:Elleman.Robert@epa.gov>>; Koprowski, Paul <Koprowski.Paul@epa.gov<mailto:Koprowski.Paul@epa.gov>>; Downey, Scott <Downey.Scott@epa.gov<mailto:Downey.Scott@epa.gov>>; Bray, Dave <Bray.Dave@epa.gov<mailto:Bray.Dave@epa.gov>>; Dossett, Donald <Dossett.Donald@epa.gov<mailto:Dossett.Donald@epa.gov>>  
**Subject:** RE: Heads up on emerging issue in PDX.

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\$19.8 M, it must be a lot.

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Sent: Thursday, February 04, 2016 11:30 AM

To: Koprowski, Paul <Koprowski.Paul@epa.gov<mailto:Koprowski.Paul@epa.gov>>; Downey, Scott <Downey.Scott@epa.gov<mailto:Downey.Scott@epa.gov>>; Narvaez, Madonna <Narvaez.Madonna@epa.gov<mailto:Narvaez.Madonna@epa.gov>>; Bray, Dave <Bray.Dave@epa.gov<mailto:Bray.Dave@epa.gov>>; Dossett, Donald <Dossett.Donald@epa.gov<mailto:Dossett.Donald@epa.gov>>  
Subject: FW: Heads up on emerging issue in PDX.

Just sending you all the technical details I gathered this morning after speaking with Oregon DEQ's air emission inventory person.

- Bullseye may be the only source quite like this in Portland. There was another hot spot measured with moss on Swans Island but few details on that and less of a smoking gun.
- The NAICS for glass and glass product manufacturing is 32721. DEQ found a bunch of other companies in that category in Portland. See attachment GlassManufacturingfor Geoff.xlsx.
- The 6-digit SCC for glass manufacturing is 305014. There are a couple 8-digit SCCs that might be significant emitters similar to Bullseye.
- The person I talked to at DEQ doesn't think there would be helpful information in the NEI or in the air toxics database to help us find similar facilities in R10. He thought that searching for facilities through a NAICS database is the most promising avenue. He suggested ESRI's Business Analyst to accomplish such a task. He was interested in doing such a search for all of Oregon but ran into roadblock with software licenses.
- I may have a lead on how to access Business Analyst and do the search here in R10, but maybe you all have a better idea.
- Apparently Puget Sound Clean Air was notified of these results and may have already done a survey for their jurisdiction.

From: Hastings, Janis

Sent: Thursday, February 04, 2016 11:07 AM

To: Holsman, Marianne <Holsman.Marianne@epa.gov<mailto:Holsman.Marianne@epa.gov>>  
Cc: Downey, Scott <Downey.Scott@epa.gov<mailto:Downey.Scott@epa.gov>>; Fleming, Sheila <fleming.sheila@epa.gov<mailto:fleming.sheila@epa.gov>>; Narvaez, Madonna <Narvaez.Madonna@epa.gov<mailto:Narvaez.Madonna@epa.gov>>; Bray, Dave <Bray.Dave@epa.gov<mailto:Bray.Dave@epa.gov>>; Dossett, Donald <Dossett.Donald@epa.gov<mailto:Dossett.Donald@epa.gov>>; Koprowski, Paul <Koprowski.Paul@epa.gov<mailto:Koprowski.Paul@epa.gov>>; Pirzadeh, Michelle <Pirzadeh.Michelle@epa.gov<mailto:Pirzadeh.Michelle@epa.gov>>; Elleman, Robert <Elleman.Robert@epa.gov<mailto:Elleman.Robert@epa.gov>>  
Subject: Re: Heads up on emerging issue in PDX.

In the interest of time, I'm sending the summary that we have so far from Paul Koprowski. Scott Downey



may have an update later today.

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As a result of a collaborative study to better understand the sources and distribution of arsenic and cadmium air pollution in Portland Oregon, DEQ found a significant "hot spot" at Southeast 22nd Ave. and Powell Boulevard. ODEQ, the Oregon Health Authority, Multnomah County Health Departments and ATSDR are working collaboratively to determine the impact to public health. Additional monitors are being deployed by ODEQ and the agency is about to release maps that outline the affected area. ODEQ will be posting the data summary to their website soon.

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The source is permitted as a minor source of air toxics emissions. ODEQ has confirmed they are in compliance with the permit. Bullseye Glass produces colored flat glass for use in the arts industry. Air contaminant control equipment at the facility includes a baghouse.

The neighborhood around Bullseye Glass includes residences, the Fred Meyer Corporate offices, a daycare and Cleveland High School, a variety of business and a park with a playing field and basketball court.

---

From: Holsman, Marianne  
Sent: Thursday, February 4, 2016 10:46 AM  
To: McLerran, Dennis; Pirzadeh, Michelle; Dunbar, Bill  
Cc: Hastings, Janis; Smith, Judy; Downey, Scott  
Subject: Heads up on emerging issue in PDX.

OCE and AWT are working on a hot issues write up on this and we are going to draft a reactive desk statement for press calls. I understand we are talking with ODEQ today on this matter. Stand by for more information. There are several other clips on this as a result of a DEQ news release of yesterday (attached).

<http://www.portlandmercury.com/BlogtownPDX/archives/2016/02/03/arsenic-cadmium-levels-near-two-se-portland-schools-are-alarmingly-high-state-finds>  
[[http://media2.fdnms.com/portmerc/imager/u/slideshow/17515972/1454535320-screen\\_shot\\_2016-02-01\\_at\\_5.02.53\\_pm.png](http://media2.fdnms.com/portmerc/imager/u/slideshow/17515972/1454535320-screen_shot_2016-02-01_at_5.02.53_pm.png)]<http://www.portlandmercury.com/BlogtownPDX/archives/2016/02/03/arsenic-cadmium-levels-near-two-se-portland-schools-are-alarmingly-high-state-finds>>

State Finds Alarmingly High Arsenic, Cadmium Levels Near Two SE Portland

Schools<<http://www.portlandmercury.com/BlogtownPDX/archives/2016/02/03/arsenic-cadmium-levels-near-two-se-portland-schools-are-alarmingly-high-state-finds>>  
[www.portlandmercury.com](http://www.portlandmercury.com)<<http://www.portlandmercury.com>>  
GoogleA portion of the Bullseye Glass facility in SE Portland Within days, state officials are slated to release the alarming results of a monitoring program...

## State Finds Alarmingly High Arsenic, Cadmium Levels Near Two SE Portland Schools

Posted by Daniel Forbes<<http://www.portlandmercury.com/portland/ArticleArchives?author=17515956>>  
on Wed, Feb 3, 2016 at 2:06 PM

[A portion of the Bullseye Glass facility in SE Portland]

- Google
- A portion of the Bullseye Glass facility in SE Portland

**Ex. 4 - copyright**

# Ex. 4 - copyright

- Google
- An aerial view showing Bullseye Glass's proximity to Fred Meyer corporate headquarters, a city park, and Cleveland High School

**Ex. 4 - copyright**

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Daniel Forbes is the author of Derail this Train Wreck<<http://fomitepress.com/FOMITE/Derail.html>>. He lives in Portland, and can be reached at [ddanforbes@aol.com](mailto:ddanforbes@aol.com)<<mailto:ddanforbes@aol.com>>.

Marianne Holsman

Public Affairs Director

EPA Region 10

Desk: 206-553-

1237[data:image/png;base64,iVBORw0KGgoAAAANSUhEUgAAABAAAAAQCAAAAAf8/9hAAABckIEQVR4XpXTPUvDUBTH4aR2c2hBQXGpTilORhBcBOvgYKf0Awi+4Ggr1MVPllrYdnEpShddHlyLi6AVXVxsRRDRwbi4KNgu4IClv8i/i6QRDzycy+09555LqOI5nhEUptPoJe1iDHU8oYlrlDw79m4QEbSLPexzslc8hDRm8YBjLpj4q8EgxQdab+MNd4ghhQ2adlc1+ORAFEnWWfTDRp7GDflmlslavKALLuqoqMGUCs4wHtagiQ5uc8kDyCOBKIP1k78QNT0ZnMXCQRxWsbjl6iuskV41SQG2Gj9rikvcR1WcgKFDBa1LOEUK56hqv8BUFV3SGWkVS9JQ6Dsv4wQ1DKMPORUvkm78BhdQMI1CTa5l0yrcwSFqFD+SZ7DQeslkCG5S/JpkHYERQRmuNsrZ7Grc+Ef8/Bcoslkfae8Wc7CUHZ++TuAEBj86pHntjaDKXlIPy6PW/gkKFThwp/K87N8hDcQTTKKF TioSxqB8Q2BNX5JtAljwgAAAABJRU5ErkJggg==]

Cell: 206-450-

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[<http://www.gthisgthat.com/wp-content/uploads/2014/03/google-plus-5-512.png>]  
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**Sent:** Sat 2/6/2016 2:48:03 AM  
**Subject:** Fw: Heads up on emerging issue in PDX.

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**Sent:** Friday, February 5, 2016 9:25 AM  
**To:** Elleman, Robert; Koprowski, Paul; Downey, Scott; Bray, Dave; Dossett, Donald  
**Cc:** Islam, Mahbubul  
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•□□□□□□□ Apparently Puget Sound Clean Air was notified of these results and may have already done a survey for their jurisdiction.

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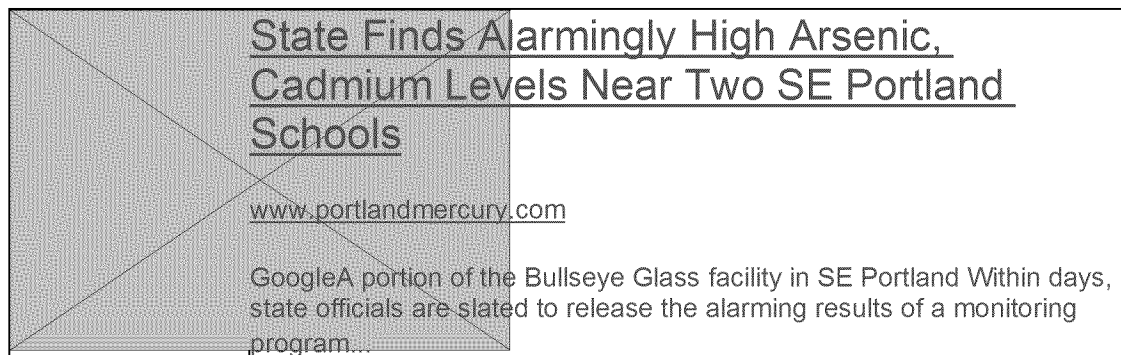
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## State Finds Alarming High Arsenic, Cadmium Levels Near Two SE Portland Schools

Posted by [Daniel Forbes](#) on Wed, Feb 3, 2016 at 2:06 PM

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*Daniel Forbes is the author of **Derail this Train Wreck**. He lives in Portland, and can be reached at [ddanforbes@aol.com](mailto:ddanforbes@aol.com).*

Marianne Holsman

Public Affairs Director

EPA Region 10

Desk: 206-553-1237



Cell: 206-450-5895



Follow us!



**To:** Downey, Scott[Downey.Scott@epa.gov]; McClintock, Katie[McClintock.Katie@epa.gov]  
**Cc:** Keenan, John[keenan.john@epa.gov]; Lambert, Aaron[lambert.aaron@epa.gov]  
**From:** Cunningham, Roylene  
**Sent:** Thur 2/25/2016 10:31:16 PM  
**Subject:** RE: Canceled: ARCU Unit Meeting [Ex. 6 - Personal Privacy] code [Ex. 6 - Personal Privacy]

I'll be there shortly

-----Original Message-----

**From:** Downey, Scott  
**Sent:** Thursday, February 25, 2016 2:18 PM  
**To:** McClintock, Katie <McClintock.Katie@epa.gov>  
**Cc:** Keenan, John <keenan.john@epa.gov>; Cunningham, Roylene <Cunningham.Roylene@epa.gov>; Lambert, Aaron <lambert.aaron@epa.gov>  
**Subject:** RE: Canceled: ARCU Unit Meeting [Ex. 6 - Personal Privacy] code [Ex. 6 - Personal Privacy]

Yea, I suppose we should do that ASAP. Can everyone meet in 10S at 2:30?

~~~~~  
Scott Downey, Manager  
Air and RCRA Compliance Unit  
EPA Region 10, OCE-101  
1200 6th Ave, Suite 900  
Seattle, WA 98101, (206) 553-0682

-----Original Message-----

**From:** McClintock, Katie  
**Sent:** Thursday, February 25, 2016 2:05 PM  
**To:** Downey, Scott <Downey.Scott@epa.gov>  
**Cc:** Keenan, John <keenan.john@epa.gov>; Cunningham, Roylene <Cunningham.Roylene@epa.gov>; Lambert, Aaron <lambert.aaron@epa.gov>  
**Subject:** Re: Canceled: ARCU Unit Meeting [Ex. 6 - Personal Privacy] code [Ex. 6 - Personal Privacy]

Wanna talk about colored glass work and what capacity folks have?

Sent from my iPhone

> On Feb 25, 2016, at 2:00 PM, Downey, Scott <Downey.Scott@epa.gov> wrote:  
>  
> So many of us are swamped today that I'm going to cancel the unit meeting. I'll try to send out some notes from the last few management meetings tomorrow but I don't think there was anything earth shattering. Enjoy your extra hour!  
>  
>  
> Moved time to 2:30 due to conflict with active shooter training.  
>  
> <meeting.ics>



**To:** Downey, Scott[Downey.Scott@epa.gov]  
**Cc:** Keenan, John[keenan.john@epa.gov]; Cunningham, Roylene[Cunningham.Roylene@epa.gov]; Lambert, Aaron[lambert.aaron@epa.gov]  
**From:** McClintock, Katie  
**Sent:** Thur 2/25/2016 10:05:16 PM  
**Subject:** Re: Canceled: ARCU Unit Meeting [Ex. 6 - Personal Privacy] code [Ex. 6 - Personal Privacy]

Wanna talk about colored glass work and what capacity folks have?

Sent from my iPhone

> On Feb 25, 2016, at 2:00 PM, Downey, Scott <Downey.Scott@epa.gov> wrote:  
>  
> So many of us are swamped today that I'm going to cancel the unit meeting. I'll try to send out some notes from the last few management meetings tomorrow but I don't think there was anything earth shattering. Enjoy your extra hour!  
>  
>  
> Moved time to 2:30 due to conflict with active shooter training.  
>  
> <meeting.ics>

## Formation and Destruction of Hexavalent Chromium in a Laboratory Swirl Flame Incinerator

WILLIAM P. LINAK<sup>1,\*</sup> JEFFREY V. RYAN<sup>1</sup> and JOST O. L. WENDT<sup>2</sup>

<sup>1</sup>*Air Pollution Prevention and Control Division, National Risk Management  
Research Laboratory, U. S. Environmental Protection Agency,  
Research Triangle Park, NC USA 27711*

<sup>2</sup>*Department of Chemical and Environmental Engineering,  
University of Arizona, Tucson, AZ USA 85721*

(Received 26 June 1995; revised 7 November 1995)

**Ex. 4 - copyright**

\*corresponding author tel: (919) 541-5792 fax: (919) 541-0554 e-mail: [blinak@inferno.rtpnc.epa.gov](mailto:blinak@inferno.rtpnc.epa.gov).

# Ex. 4 - copyright

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# **Ex. 4 - copyright**



# Ex. 4 - copyright

# Ex. 4 - copyright

# Ex. 4 - copyright

# Ex. 4 - copyright

# Ex. 4 - copyright

**To:** McClintock, Katie[McClintock.Katie@epa.gov]  
**Cc:** Scott Throwe[Throwe.Scott@epa.gov]  
**From:** Fairchild, Susan  
**Sent:** Fri 2/5/2016 7:54:15 PM  
**Subject:** RE: saw that spectrum was listed as a caller, do you know much about them?  
[BIN 3 Final Rules.pdf](#)

Katie, I think we need to involve OECA and I've copied Scott Throwe on this email.

Scott, Region 10 found in their school monitoring program elevated levels of cadmium and arsenic

Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

## Ex. 5 - Deliberative Process

I have included relevant excerpts from the final preamble rule here, and attached a copy of the final rule to this email as well.

*Comment:* Two commenters expressed concern with the definition of affected source (i.e., furnace). Both commenters stated that the definition in the proposed rule, which was adopted from 40 CFR 60, subpart CC, Standards of Performance for Glass Manufacturing Plants (Glass NSPS), defines furnace to include the “raw material charging system” and “appendages for conditioning and transferring molten glass to forming machines.” One commenter pointed out that, in the proposed rule, compliance is demonstrated by testing the furnace stack. However, emissions from the “charging system” or “appendages” are not generally ducted to the furnace stack. The commenter stated that furnace was defined as it was in the NSPS to clarify what constitutes a modification; the definition was not meant to identify emission points or where stack testing should be performed. The other commenter explained that one of the company's

plants adds colored frit to the molten glass in the forehearth, which is one of the “appendages” referenced in the definition of furnace. The commenter pointed out that emissions from the forehearth are not ducted to the furnace stack. Since the GACT analysis for glass furnaces was based on emissions from furnace stacks, the proposed emission limits should not apply to emissions from forehearths.

*Response:* In developing the proposed rule, we determined GACT for this source category based on technology used to reduce emissions from glass melting furnace stacks. Glass furnace stacks generally exhaust emissions from the furnace melter, which is the part of the furnace where raw materials are charged and melted. Although furnace stacks may also exhaust emissions from other parts of, or appendages to, the furnace, it was our intent to regulate emissions from the furnace melter. This is consistent with our understanding of the emissions profile of glass manufacturing raw materials; that is, metal HAP are emitted from glass furnaces upon the initial melting step. Later remelting of glass, such as cullet and frit, does not re-emit the metal HAP once the glass has been formed or vitrified. To clarify this requirement, we have revised § 63.11459 of this final rule to redefine the glass melting furnace as the “\* \* \* process unit in which raw materials are charged and melted at high temperature to produce molten glass.” In addition, we have added to § 63.11459 a definition of furnace stack as the conduit or conveyance through which emissions from the furnace melter are released to the atmosphere. We also have revised § 63.11452 in this final rule to clarify that compliance with the emission limits is determined by testing the furnace stack.

TABLE 1 TO SUBPART SSSSSS OF PART 63—EM

| For each. . .                                                                                                                                                                                                          | You must m                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| 1. New or existing glass melting furnace that produces glass at an annual rate of at least 45 Mg/yr (50 tpy) AND is charged with compounds of arsenic, cadmium, chromium, manganese, lead, or nickel as raw materials. | a. The 3-hour block must not exceed ( ton)) of glass prod<br>b. The 3-hour block sion rate must not |

#### § 63.11448 Am I subject to this subpart?

You are subject to this subpart if you own or operate a glass manufacturing facility that is an area source of hazardous air pollutant (HAP) emissions and meets all of the criteria specified in paragraphs (a) through (c) of this section.

(a) A glass manufacturing facility is a plant site that manufactures flat glass, glass containers, or pressed and blown glass by melting a mixture of raw materials, as defined in § 63.11459, to produce molten glass and form the molten glass into sheets, containers, or other shapes.

(b) An area source of HAP emissions is any stationary source or group of stationary sources within a contiguous area under common control that does not have the potential to emit any single HAP at a rate of 9.07 megagrams per year (Mg/yr) (10 tons per year (tpy)) or more and any combination of HAP at a rate of 22.68 Mg/yr (25 tpy) or more.

(c) Your glass manufacturing facility uses one or more continuous furnaces to produce glass that contains compounds of one or more glass manufacturing metal HAP, as defined in § 63.11459, as raw materials in a glass manufacturing batch formulation.

#### **§ 63.11449 What parts of my plant does this subpart cover?**

(a) This subpart applies to each existing or new affected glass melting furnace that is located at a glass manufacturing facility and satisfies the requirements specified in paragraphs (a)(1) through (3) of this section.

(1) The furnace is a continuous furnace, as defined in § 63.11459.

(2) The furnace is charged with compounds of one or more glass manufacturing metal HAP as raw materials.

(3) The furnace is used to produce glass, which contains one or more of the glass manufacturing metal HAP as raw materials, at a rate of at least 45 Mg/yr (50 tpy).

(b) A furnace that is a research and development process unit, as defined in § 63.11459, is not an affected furnace under this subpart.

(c) An affected source is an existing source if you commenced construction or reconstruction of the affected source on or before September 20, 2007.

(d) An affected source is a new source if you commenced construction or reconstruction of the affected source after September 20, 2007.

(e) If you own or operate an area source subject to this subpart, you must obtain a permit under 40 CFR part 70 or

40 CFR part 71.



Susan Fairchild

Senior Environmental Scientist

(919) 541-5167

USPS Address:

OAQPS/SPPD/MMG

Mail Code D 243-04

Research Triangle Park, NC 27711

**From:** McClintock, Katie

**Sent:** Friday, February 05, 2016 1:45 PM

**To:** Fairchild, Susan <Fairchild.Susan@epa.gov>

**Subject:** saw that spectrum was listed as a caller, do you know much about them?

That is in the seattle area –

**Ex. 5 - Deliberative Process**

Ex. 5 - Deliberative Process

<http://www.spectrumglass.com/stained-glass/tour/ribbon.asp>

Katie McClintock

Air Enforcement Officer

EPA Region 10

1200 Sixth Avenue, Suite 900, OCE-101

Seattle, WA 98101

Phone: 206-553-2143

Fax: 206-553-4743

[Mcclintock.katie@epa.gov](mailto:Mcclintock.katie@epa.gov)

**To:** Koprowski, Paul[Koprowski.Paul@epa.gov]; Wroble, Julie[Wroble.Julie@epa.gov]; McClintock, Katie[McClintock.Katie@epa.gov]  
**Cc:** Craig, Harry[Craig.Harry@epa.gov]; Fleming, Sheila[fleming.sheila@epa.gov]  
**From:** Stifelman, Marc  
**Sent:** Fri 3/4/2016 3:59:40 PM  
**Subject:** RE: Color Glass Daily Update 2-29-16

Thanks

Based on the photo in NYT, it looks like:

# Ex. 4 - copyright

---

*"Time makes more Converts than Reason."*

-- Thomas Paine, 1776

Marc Stifelman, Toxicologist  
U.S. Environmental Protection Agency, Region 10  
Office of Environmental Assessment, Risk Evaluation Unit  
1200 Sixth Avenue, Suite 900  
Mail Stop: OEA-140  
Seattle, Washington 98101-3140  
Tele 206/553-6979  
stifelman.marc@epa.gov

**From:** Koprowski, Paul  
**Sent:** Friday, March 04, 2016 7:52 AM  
**To:** Stifelman, Marc <Stifelman.Marc@epa.gov>  
**Subject:** RE: Color Glass Daily Update 2-29-16

Richard and I will be sure to coordinate with him as we see more info about soil sampling.

Paul

Paul Koprowski

U.S. EPA; Oregon Operations Office

805 SW Broadway, Suite 500

Portland, Oregon 97205

(503) 326-6363

**From:** Stifelman, Marc  
**Sent:** Thursday, March 03, 2016 4:09 PM  
**To:** Koprowski, Paul <[Koprowski.Paul@epa.gov](mailto:Koprowski.Paul@epa.gov)>; McClintock, Katie <[McClintock.Katie@epa.gov](mailto:McClintock.Katie@epa.gov)>; Moon, Wally <[Moon.Wally@epa.gov](mailto:Moon.Wally@epa.gov)>  
**Cc:** Wroble, Julie <[Wroble.Julie@epa.gov](mailto:Wroble.Julie@epa.gov)>  
**Subject:** RE: Color Glass Daily Update 2-29-16

We may want to add Harry Craig to this thread as an expert in soil sampling who sits in OOO...

~~~~~  
*"Time makes more Converts than Reason."*

-- Thomas Paine, 1776

Marc Stifelman, Toxicologist  
U.S. Environmental Protection Agency, Region 10  
Office of Environmental Assessment, Risk Evaluation Unit  
1200 Sixth Avenue, Suite 900  
Mail Stop: OEA-140  
Seattle, Washington 98101-3140  
Tele 206/553-6979  
[stifelman.marc@epa.gov](mailto:stifelman.marc@epa.gov)

**From:** Koprowski, Paul  
**Sent:** Thursday, March 03, 2016 4:04 PM  
**To:** McClintock, Katie <[McClintock.Katie@epa.gov](mailto:McClintock.Katie@epa.gov)>; Stifelman, Marc <[Stifelman.Marc@epa.gov](mailto:Stifelman.Marc@epa.gov)>; Moon, Wally <[Moon.Wally@epa.gov](mailto:Moon.Wally@epa.gov)>  
**Cc:** Wroble, Julie <[Wroble.Julie@epa.gov](mailto:Wroble.Julie@epa.gov)>  
**Subject:** RE: Color Glass Daily Update 2-29-16

Richard is contacting Keith Johnson to get a copy of the plan for the soil sampling if one is final and available.

Paul

Paul Koprowski

U.S. EPA; Oregon Operations Office

805 SW Broadway, Suite 500

Portland, Oregon 97205

(503) 326-6363

**From:** McClintock, Katie

**Sent:** Thursday, March 03, 2016 3:28 PM

**To:** Stifelman, Marc <[Stifelman.Marc@epa.gov](mailto:Stifelman.Marc@epa.gov)>; Koprowski, Paul <[Koprowski.Paul@epa.gov](mailto:Koprowski.Paul@epa.gov)>; Moon, Wally <[Moon.Wally@epa.gov](mailto:Moon.Wally@epa.gov)>

**Cc:** Wroble, Julie <[Wroble.Julie@epa.gov](mailto:Wroble.Julie@epa.gov)>

**Subject:** RE: Color Glass Daily Update 2-29-16

I am looping in Paul koprowski and Wally moon to see if they have more information on this.

Katie

**From:** Stifelman, Marc

**Sent:** Thursday, March 03, 2016 3:26 PM

**To:** McClintock, Katie <[McClintock.Katie@epa.gov](mailto:McClintock.Katie@epa.gov)>

**Cc:** Wroble, Julie <[Wroble.Julie@epa.gov](mailto:Wroble.Julie@epa.gov)>

**Subject:** RE: Color Glass Daily Update 2-29-16

Katie,

I understand soil has already been sampled, but I haven't seen a Sampling Plan or QAPP. Has it been shared?

I couldn't interpret results without knowing what OR did.

-Marc

~~~~~  
*"Time makes more Converts than Reason."*

-- Thomas Paine, 1776

Marc Stifelman, Toxicologist  
U.S. Environmental Protection Agency, Region 10  
Office of Environmental Assessment, Risk Evaluation Unit  
1200 Sixth Avenue, Suite 900  
Mail Stop: OEA-140  
Seattle, Washington 98101-3140  
Tele 206/553-6979  
[stifelman.marc@epa.gov](mailto:stifelman.marc@epa.gov)

**From:** McClintock, Katie

**Sent:** Monday, February 29, 2016 10:56 PM

**To:** Averbach, Jonathan <[Averbach.Jonathan@epa.gov](mailto:Averbach.Jonathan@epa.gov)>; Barber, Anthony <[Barber.Anthony@epa.gov](mailto:Barber.Anthony@epa.gov)>; Barnett, Keith <[Barnett.Keith@epa.gov](mailto:Barnett.Keith@epa.gov)>; Bray, Dave <[Bray.Dave@epa.gov](mailto:Bray.Dave@epa.gov)>; Bremer, Kristen <[Bremer.Kristen@epa.gov](mailto:Bremer.Kristen@epa.gov)>; Cunningham, Roylene <[Cunningham.Roylene@epa.gov](mailto:Cunningham.Roylene@epa.gov)>; Dalrymple, Anne <[Dalrymple.Anne@epa.gov](mailto:Dalrymple.Anne@epa.gov)>; Davis,

Alison <[Davis.Alison@epa.gov](mailto:Davis.Alison@epa.gov)>; Davis, Matthew <[Davis.Matthew@epa.gov](mailto:Davis.Matthew@epa.gov)>; Doster, Brian <[Doster.Brian@epa.gov](mailto:Doster.Brian@epa.gov)>; Downey, Scott <[Downey.Scott@epa.gov](mailto:Downey.Scott@epa.gov)>; Fairchild, Susan <[Fairchild.Susan@epa.gov](mailto:Fairchild.Susan@epa.gov)>; Field, Chris <[Field.Chris@epa.gov](mailto:Field.Chris@epa.gov)>; Fleming, Sheila <[fleming.sheila@epa.gov](mailto:fleming.sheila@epa.gov)>; Franklin, Richard <[Franklin.Richard@epa.gov](mailto:Franklin.Richard@epa.gov)>; Fried, Gregory <[Fried.Gregory@epa.gov](mailto:Fried.Gregory@epa.gov)>; Froikin, Sara <[Froikin.Sara@epa.gov](mailto:Froikin.Sara@epa.gov)>; Hall, Chris <[Hall.Christopher@epa.gov](mailto:Hall.Christopher@epa.gov)>; Hastings, Janis <[Hastings.Janis@epa.gov](mailto:Hastings.Janis@epa.gov)>; Hedgpeth, Zach <[Hedgpeth.Zach@epa.gov](mailto:Hedgpeth.Zach@epa.gov)>; Holsman, Marianne <[Holsman.Marianne@epa.gov](mailto:Holsman.Marianne@epa.gov)>; Ingemansen, Dean <[Ingemansen.Dean@epa.gov](mailto:Ingemansen.Dean@epa.gov)>; Johnson, Steffan <[johnson.steffan@epa.gov](mailto:johnson.steffan@epa.gov)>; Kaetzel, Rhonda <[Kaetzel.Rhonda@epa.gov](mailto:Kaetzel.Rhonda@epa.gov)>; Keenan, John <[keenan.john@epa.gov](mailto:keenan.john@epa.gov)>; Koerber, Mike <[Koerber.Mike@epa.gov](mailto:Koerber.Mike@epa.gov)>; Koprowski, Paul <[Koprowski.Paul@epa.gov](mailto:Koprowski.Paul@epa.gov)>; Kowalski, Ed <[Kowalski.Edward@epa.gov](mailto:Kowalski.Edward@epa.gov)>; Leefers, Kristin <[Leefers.Kristin@epa.gov](mailto:Leefers.Kristin@epa.gov)>; Lynch, Kira <[lynch.kira@epa.gov](mailto:lynch.kira@epa.gov)>; Martenson, Eric <[Martenson.Eric@epa.gov](mailto:Martenson.Eric@epa.gov)>; Matthews, Julie <[Matthews.Juliane@epa.gov](mailto:Matthews.Juliane@epa.gov)>; McLerran, Dennis <[mclerran.dennis@epa.gov](mailto:mclerran.dennis@epa.gov)>; Mitchell, Ken <[Mitchell.Ken@epa.gov](mailto:Mitchell.Ken@epa.gov)>; Moon, Wally <[Moon.Wally@epa.gov](mailto:Moon.Wally@epa.gov)>; Narvaez, Madonna <[Narvaez.Madonna@epa.gov](mailto:Narvaez.Madonna@epa.gov)>; Owens, Katharine <[Owens.Katharine@epa.gov](mailto:Owens.Katharine@epa.gov)>; Page, Lee <[Page.Lee@epa.gov](mailto:Page.Lee@epa.gov)>; Palma, Ted <[Palma.Ted@epa.gov](mailto:Palma.Ted@epa.gov)>; Pirzadeh, Michelle <[Pirzadeh.Michelle@epa.gov](mailto:Pirzadeh.Michelle@epa.gov)>; Rimer, Kelly <[Rimer.Kelly@epa.gov](mailto:Rimer.Kelly@epa.gov)>; Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>; Smith, Judy <[Smith.Judy@epa.gov](mailto:Smith.Judy@epa.gov)>; Stern, Allyn <[Stern.Alynn@epa.gov](mailto:Stern.Alynn@epa.gov)>; Stewart, Michael <[Stewart.Michael@epa.gov](mailto:Stewart.Michael@epa.gov)>; Stifelman, Marc <[Stifelman.Marc@epa.gov](mailto:Stifelman.Marc@epa.gov)>; Taylor, Kevin <[Taylor.Kevin@epa.gov](mailto:Taylor.Kevin@epa.gov)>; Terada, Calvin <[Terada.Calvin@epa.gov](mailto:Terada.Calvin@epa.gov)>; Terry, Sara <[Terry.Sara@epa.gov](mailto:Terry.Sara@epa.gov)>; Thrift, Mike <[thrift.mike@epa.gov](mailto:thrift.mike@epa.gov)>; Throwe, Scott <[Throwe.Scott@epa.gov](mailto:Throwe.Scott@epa.gov)>; Tonel, Monica <[Tonel.Monica@epa.gov](mailto:Tonel.Monica@epa.gov)>; Wendel, Arthur <[Wendel.Arthur@epa.gov](mailto:Wendel.Arthur@epa.gov)>; Williamson, Ann <[Williamson.Ann@epa.gov](mailto:Williamson.Ann@epa.gov)>; Wroble, Julie <[Wroble.Julie@epa.gov](mailto:Wroble.Julie@epa.gov)>; Yellin, Patrick <[Yellin.Patrick@epa.gov](mailto:Yellin.Patrick@epa.gov)>

**Subject:** Color Glass Daily Update 2-29-16

Here is the daily update for the day and the link the onedrive below. I've heard some people are having trouble with access. Let me know if that happens as we might be using the onedrive for FOIA data collection and we will need everyone to have access. Please also give let me know of anyone not in this email who might have responsive FOIA documents.

## Ex. 6 - Personal Privacy

Katie McClintock

Air Enforcement Officer

EPA Region 10



1200 Sixth Avenue, Suite 900, OCE-101

Seattle, WA 98101

Phone: 206-553-2143

Fax: 206-553-4743

[Mcclintock.katie@epa.gov](mailto:Mcclintock.katie@epa.gov)

**To:** McClintock, Katie[McClintock.Katie@epa.gov]  
**From:** Froikin, Sara  
**Sent:** Tue 2/16/2016 5:32:11 PM  
**Subject:** FW: Response to Portland OR Glass Plant Issue  
[Art Glass Manufacturers in US 2015.xlsx](#)  
[ATT00001.htm](#)

I think this is Susan's list.

Sara Froikin, Attorney-Advisor

U.S. Environmental Protection Agency

290 Broadway

New York, NY 10007

Phone: 212-637-3263

**From:** Fried, Gregory  
**Sent:** Tuesday, February 16, 2016 10:17 AM  
**To:** Froikin, Sara <Froikin.Sara@epa.gov>  
**Subject:** Fwd: Response to Portland OR Glass Plant Issue

Sent from my iPhone

Begin forwarded message:

**From:** "Throwe, Scott" <Throwe.Scott@epa.gov>  
**Date:** February 16, 2016 at 10:14:01 AM EST  
**To:** "Klaus, Dan" <Klaus.Dan@epa.gov>, "Fried, Gregory" <Fried.Gregory@epa.gov>  
**Subject:** FW: Response to Portland OR Glass Plant Issue

updated list

Scott Throwe

U.S. EPA

Office of Enforcement and Compliance Assurance

Office of Compliance

Phone: 202-564-7013

**From:** Fairchild, Susan

**Sent:** Tuesday, February 16, 2016 10:11 AM

**Subject:** RE: Response to Portland OR Glass Plant Issue

Updated list with 4 additional facilities

Susan Fairchild

Senior Environmental Scientist

(919) 541-5167

USPS Address:

OAQPS/SPPD/MMG

Mail Code D 243-04

Research Triangle Park, NC 27711

**From:** Pope, Anne

**Sent:** Tuesday, February 16, 2016 10:07 AM

**To:** Fairchild, Susan <[Fairchild.Susan@epa.gov](mailto:Fairchild.Susan@epa.gov)>; Barnett, Keith  
<[Barnett.Keith@epa.gov](mailto:Barnett.Keith@epa.gov)>; Benedict, Kristen <[Benedict.Kristen@epa.gov](mailto:Benedict.Kristen@epa.gov)>; Throwe, Scott

<Throwe.Scott@epa.gov>; Strum, Madeleine <Strum.Madeleine@epa.gov>

**Cc:** Wayland, Richard <Wayland.Richard@epa.gov>; Sasser, Erika

<Sasser.Erika@epa.gov>; Rimer, Kelly <Rimer.Kelly@epa.gov>

**Subject:** RE: Response to Portland OR Glass Plant Issue

Sharon,

I worked on the GHG reporting rule and had provided GHG facility list for glass facilities. You had helped me then with glass facility list. Do you know if this list is the same as previous list? If so I can cross reference to previous list and pull data quickly.

Unrelated to this request, I have a request from Lisa Conner this week to analyze glass manufacturing facility data because of GHG reporting rule data. I had already pulled available data from 2011 EIS v2. I used NAICS Code starting with 3272 and SCC starting with 305014. This resulted in facility list of 203 CAP facilities and 180 HAP facilities. I am now removing non glass making units. I then will pull data from 2014 TRI. After I compile facility list from available emissions data, I plan to go into ECHO to extract data.

It would be helpful if Scott, OECA, could run a query in ECHO for NSPS 60CC and Area source 63 SSSSSS to see if facilities on Susan's list and facilities in available emissions inventories have permits. The MACT tool in ECHO only allows one to search for MACT – it does not allow one to search for NSPS or area source rules. Jason Swift, OECA, is very helpful with these requests.

Thanks,

Anne

**From:** Fairchild, Susan  
**Sent:** Tuesday, February 16, 2016 9:44 AM  
**To:** Barnett, Keith <[Barnett.Keith@epa.gov](mailto:Barnett.Keith@epa.gov)>; Benedict, Kristen <[Benedict.Kristen@epa.gov](mailto:Benedict.Kristen@epa.gov)>; Throwe, Scott <[Throwe.Scott@epa.gov](mailto:Throwe.Scott@epa.gov)>; Pope, Anne <[Pope.Anne@epa.gov](mailto:Pope.Anne@epa.gov)>; Strum, Madeleine <[Strum.Madeleine@epa.gov](mailto:Strum.Madeleine@epa.gov)>  
**Cc:** Wayland, Richard <[Wayland.Richard@epa.gov](mailto:Wayland.Richard@epa.gov)>; Sasser, Erika <[Sasser.Erika@epa.gov](mailto:Sasser.Erika@epa.gov)>; Rimer, Kelly <[Rimer.Kelly@epa.gov](mailto:Rimer.Kelly@epa.gov)>  
**Subject:** RE: Response to Portland OR Glass Plant Issue  
**Importance:** High

I did a quick internet search for all art glass plants in the US, and came up with this list.

If you have additional plants, please add them to this list.

If you have any emissions information, please let us know the source(s) of those data.

Susan Fairchild  
Senior Environmental Scientist  
(919) 541-5167

USPS Address:  
OAQPS/SPPD/MMG  
Mail Code D 243-04  
Research Triangle Park, NC 27711

**From:** Barnett, Keith

**Sent:** Tuesday, February 16, 2016 9:15 AM

**To:** Benedict, Kristen <[Benedict.Kristen@epa.gov](mailto:Benedict.Kristen@epa.gov)>; Fairchild, Susan <[Fairchild.Susan@epa.gov](mailto:Fairchild.Susan@epa.gov)>; Throwe, Scott <[Throwe.Scott@epa.gov](mailto:Throwe.Scott@epa.gov)>; Pope, Anne <[Pope.Anne@epa.gov](mailto:Pope.Anne@epa.gov)>; Strum, Madeleine <[Strum.Madeleine@epa.gov](mailto:Strum.Madeleine@epa.gov)>

**Cc:** Wayland, Richard <[Wayland.Richard@epa.gov](mailto:Wayland.Richard@epa.gov)>; Sasser, Erika <[Sasser.Erika@epa.gov](mailto:Sasser.Erika@epa.gov)>; Rimer, Kelly <[Rimer.Kelly@epa.gov](mailto:Rimer.Kelly@epa.gov)>

**Subject:** Response to Portland OR Glass Plant Issue

To all:

Here are the asks we currently have on glass plants. And my understanding is that Janet McCabe would like answers today:

## Ex. 5 - Deliberative Process

Please forward the notice when you receive it this notice to anyone else who needs to attend.

Keith Barnett

Minerals and Manufacturing Group Leader

919-541-5605

**To:** McClintock, Katie[McClintock.Katie@epa.gov]  
**From:** Hedgpeth, Zach  
**Sent:** Fri 2/5/2016 2:39:38 PM  
**Subject:** Fw: Heads up on emerging issue in PDX.  
[GlassManufacturingR10States.xlsx](#)

Hi Katie -- here's another email discussion regarding the Bullseye Glass issue, in case you haven't seen this. It relates to ideas on finding any other similar situations.

---

**From:** Elleman, Robert  
**Sent:** Thursday, February 4, 2016 6:28 PM  
**To:** Hedgpeth, Zach  
**Subject:** FW: Heads up on emerging issue in PDX.

I got started in this because of my connections to the technical people at DEQ who are involved in the project and because I happened to be at the air manager's meeting for Mahbubul yesterday. But really at some point this is better suited for someone like you. So, FYI on what my role has been and that I'm open to doing more or less, or nothing, depending on what you and others see fit.

**From:** Elleman, Robert  
**Sent:** Thursday, February 04, 2016 6:25 PM  
**To:** Narvaez, Madonna <Narvaez.Madonna@epa.gov>; Koprowski, Paul <Koprowski.Paul@epa.gov>; Downey, Scott <Downey.Scott@epa.gov>; Bray, Dave <Bray.Dave@epa.gov>; Dossett, Donald <Dossett.Donald@epa.gov>  
**Cc:** Mahbubul Islam <Islam.Mahbubul@epa.gov>  
**Subject:** RE: Heads up on emerging issue in PDX.

Our resourceful James Lopez-Baird in OEA pulled together a list of all the glass manufacturers in our four R10 states. See the attachment:

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

James says he can put all the information on an interactive GIS web page for us so we can explore it geographically for ourselves. He estimated he would get to it tomorrow morning.



**From:** Narvaez, Madonna  
**Sent:** Thursday, February 04, 2016 12:50 PM  
**To:** Elleman, Robert <Elleman.Robert@epa.gov>; Koprowski, Paul <Koprowski.Paul@epa.gov>; Downey, Scott <Downey.Scott@epa.gov>; Bray, Dave <Bray.Dave@epa.gov>; Dossett, Donald <Dossett.Donald@epa.gov>  
**Subject:** RE: Heads up on emerging issue in PDX.

Thanks, Rob. I am having trouble finding out how much glass they produce. I think with annual sales of \$19.8 M, it must be a lot.

**From:** Elleman, Robert  
**Sent:** Thursday, February 04, 2016 11:30 AM  
**To:** Koprowski, Paul <Koprowski.Paul@epa.gov>; Downey, Scott <Downey.Scott@epa.gov>; Narvaez, Madonna <Narvaez.Madonna@epa.gov>; Bray, Dave <Bray.Dave@epa.gov>; Dossett, Donald <Dossett.Donald@epa.gov>  
**Subject:** FW: Heads up on emerging issue in PDX.

Just sending you all the technical details I gathered this morning after speaking with Oregon DEQ's air emission inventory person.

- Bullseye may be the only source quite like this in Portland. There was another hot spot measured with moss on Swans Island but few details on that and less of a smoking gun.
- The NAICS for glass and glass product manufacturing is 32721. DEQ found a bunch of other companies in that category in Portland. See attachment GlassManufacturingforGeoff.xlsx.
- The 6-digit SCC for glass manufacturing is 305014. There are a couple 8-digit SCCs that might be significant emitters similar to Bullseye.
- The person I talked to at DEQ doesn't think there would be helpful information in the NEI or in the air toxics database to help us find similar facilities in R10. He thought that searching for facilities through a NAICS database is the most promising avenue. He suggested ESRI's Business Analyst to accomplish such a task. He was interested in doing such a search

for all of Oregon but ran into roadblock with software licenses.

- I may have a lead on how to access Business Analyst and do the search here in R10, but maybe you all have a better idea.

- Apparently Puget Sound Clean Air was notified of these results and may have already done a survey for their jurisdiction.

**From:** Hastings, Janis

**Sent:** Thursday, February 04, 2016 11:07 AM

**To:** Holsman, Marianne <[Holsman.Marianne@epa.gov](mailto:Holsman.Marianne@epa.gov)>

**Cc:** Downey, Scott <[Downey.Scott@epa.gov](mailto:Downey.Scott@epa.gov)>; Fleming, Sheila <[fleming.sheila@epa.gov](mailto:fleming.sheila@epa.gov)>; Narvaez, Madonna <[Narvaez.Madonna@epa.gov](mailto:Narvaez.Madonna@epa.gov)>; Bray, Dave <[Bray.Dave@epa.gov](mailto:Bray.Dave@epa.gov)>; Dossett, Donald <[Dossett.Donald@epa.gov](mailto:Dossett.Donald@epa.gov)>; Koprowski, Paul <[Koprowski.Paul@epa.gov](mailto:Koprowski.Paul@epa.gov)>; Pirzadeh, Michelle <[Pirzadeh.Michelle@epa.gov](mailto:Pirzadeh.Michelle@epa.gov)>; Elleman, Robert <[Elleman.Robert@epa.gov](mailto:Elleman.Robert@epa.gov)>

**Subject:** Re: Heads up on emerging issue in PDX.

In the interest of time, I'm sending the summary that we have so far from Paul Koprowski. Scott Downey may have an update later today.

-----

As a result of a collaborative study to better understand the sources and distribution of arsenic and cadmium air pollution in Portland Oregon, DEQ found a significant "hot spot" at Southeast 22<sup>nd</sup> Ave. and Powell Boulevard. ODEQ, the Oregon Health Authority, Multnomah County Health Departments and ATSDR are working collaboratively to determine the impact to public health. Additional monitors are being deployed by ODEQ and the agency is about to release maps that outline the affected area. ODEQ will be posting the data summary to their website soon.

ODEQ issued a press release on Feb. 3<sup>rd</sup> about the findings. ODEQ has been working on refining and analyzing the data since it was first discovered in October. The initial findings are that the monthly average is 49 times greater than the state air toxics

benchmark for cadmium and 159 times the DEQ air toxics benchmark for arsenic. ATSDR and OEA are evaluating the findings in relation to EPA health standards. Representatives from ATSDR are in Portland to assist in communicating the impact to the community.

The source is permitted as a minor source of air toxics emissions. ODEQ has confirmed they are in compliance with the permit. Bullseye Glass produces colored flat glass for use in the arts industry. Air contaminant control equipment at the facility includes a baghouse.

The neighborhood around Bullseye Glass includes residences, the Fred Meyer Corporate offices, a daycare and Cleveland High School, a variety of business and a park with a playing field and basketball court.

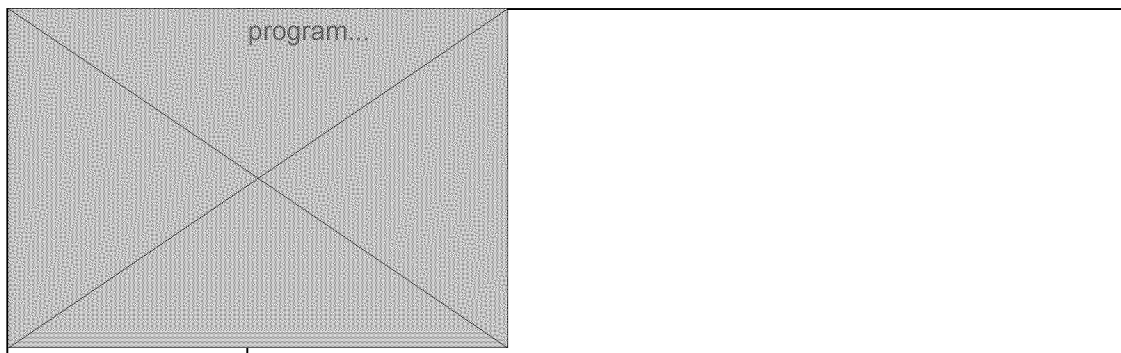
---

**From:** Holsman, Marianne  
**Sent:** Thursday, February 4, 2016 10:46 AM  
**To:** McLerran, Dennis; Pirzadeh, Michelle; Dunbar, Bill  
**Cc:** Hastings, Janis; Smith, Judy; Downey, Scott  
**Subject:** Heads up on emerging issue in PDX.

OCE and AWT are working on a hot issues write up on this and we are going to draft a reactive desk statement for press calls. I understand we are talking with ODEQ today on this matter. Stand by for more information. There are several other clips on this as a result of a DEQ news release of yesterday (attached).

<http://www.portlandmercury.com/BlogtownPDX/archives/2016/02/03/arsenic-cadmium-levels-near-two-se-portland-schools-are-alarmingly-high-state-finds>

|  |                                                                                                                                                                                                                                                                                                                                                |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p><b><u>State Finds Alarmingly High Arsenic, Cadmium Levels Near Two SE Portland Schools</u></b></p> <p><a href="http://www.portlandmercury.com">www.portlandmercury.com</a></p> <p>GoogleA portion of the Bullseye Glass facility in SE Portland Within days, state officials are slated to release the alarming results of a monitoring</p> |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



## State Finds Alarming High Arsenic, Cadmium Levels Near Two SE Portland Schools

Posted by [Daniel Forbes](#) on Wed, Feb 3, 2016 at 2:06 PM

**Ex. 4 - copyright**

# **Ex. 4 - copyright**

# **Ex. 4 - copyright**

# **Ex. 4 - copyright**

# Ex. 4 - copyright

*Daniel Forbes is the author of [Derail this Train Wreck](#). He lives in Portland, and can be reached at [ddanforbes@aol.com](mailto:ddanforbes@aol.com).*

Marianne Holsman

Public Affairs Director

EPA Region 10

Desk: 206-553-1237



Cell: Ex. 6 - Personal Privacy



Follow us!





**To:** Moon, Wally[Moon.Wally@epa.gov]; Hedgpeth, Zach[Hedgpeth.Zach@epa.gov]; McClintock, Katie[McClintock.Katie@epa.gov]  
**From:** Wroble, Julie  
**Sent:** Mon 2/22/2016 6:12:03 PM  
**Subject:** FW: Soil Investigation Report for the New Day School - SSID#46318  
[PastedGraphic-2.tiff](#)  
[ATT00001.htm](#)  
[Heavy Metals Investigation Report - New Day School.pdf](#)  
[ATT00002.htm](#)  
[FSbackgroundmetals.pdf](#)  
[ATT00003.htm](#)

**From:** Stifelman, Marc  
**Sent:** Friday, February 19, 2016 2:55 PM  
**To:** Wroble, Julie <Wroble.Julie@epa.gov>  
**Subject:** FW: Soil Investigation Report for the New Day School - SSID#46318

**From:** Ex. 6 - Personal Privacy  
**Sent:** Friday, February 19, 2016 2:17 PM  
**To:** [stiefelman.marc@epa.gov](mailto:stiefelman.marc@epa.gov); Stifelman, Marc <[Stiefelman.Marc@epa.gov](mailto:Stiefelman.Marc@epa.gov)>;  
Ex. 6 - Personal Privacy  
**Subject:** Fw: Soil Investigation Report for the New Day School - SSID#46318

Hi Marc,

Thank you for your quick response and calling me back today and for your help with understanding these numbers and what it means for our school garden. Thank you for being willing to comment on our results as well. I think it will help our families feel confident in our steps to making sure our soil is safe. if you could send me your comments today that would be really helpful. Also, would you be open to concerned families calling you if they have further questions?

In gratitude,

**Ex. 6 - Personal Privacy**

---

**From:** Alex Mottern <[alex@soilsolutionsenvironmental.com](mailto:alex@soilsolutionsenvironmental.com)>  
**Sent:** Friday, February 19, 2016 1:34 AM  
**To:** **Ex. 6 - Personal Privacy**  
**Subject:** Soil Investigation Report for the New Day School - SSID#46318

Good evening **Ex. 6 - Personal Privacy**

I have attached our statement regarding the levels of arsenic, cadmium, chromium (total and hexavalent), lead, and mercury in the soil at the New Day School at 1825 SE Clinton Street. I have also attached a fact sheet regarding background levels of metals in soils that was created by the DEQ. This document will help to make sense of the data obtained from the soil samples.

As you can see in the report, the amount of arsenic present in your soil sample does exceed the DEQ's risk-based concentration (RBC) of that metal in soil, however the average background level of arsenic in the Portland area is 8.8 ppm. We can infer from this that the arsenic present in your soil may not be related to the recent Bullseye Glass emission concerns.

Additionally, the concentrations of cadmium, total chromium, and mercury present in your soil does not exceed the background levels of these metals in the Portland area. Both cadmium and mercury were not detected at any level in any of the soil samples.

As for hexavalent chromium (Cr-VI), the highest reported value for this compound is 0.148 ppm. The DEQ RBC for this compound in soil is 0.3 ppm, so the soils at the New Day School are not considered a health risk according to the DEQ.

Lastly, the only soil sample that exceeded the background level of lead for the Portland area was collected around the playground. The result obtained (90.6 ppm) exceeds the background level of 79 ppm. Now, while this may seem alarming, I should first mention the fact that the DEQ RBC for lead is 400 ppm. As for the source of this lead, I am curious as to how old the playground area is. I know the New Day School was established at this location in 1979 and lead ceased to be added to paint in 1978. If older paint was used to paint the playground or any exterior structures when the school was established, this could explain the elevated level of lead.

Please let me know if you have any questions regarding these results.

Sincerely,

Alex Mottern  
Project Manager  
Soil Solutions Environmental Services, Inc.  
503-234-2118  
[www.soilsolutionsenvironmental.com](http://www.soilsolutionsenvironmental.com)



**To:** McClintock, Katie[McClintock.Katie@epa.gov]  
**From:** Wroble, Julie  
**Sent:** Sat 3/5/2016 12:47:50 AM  
**Subject:** RE: Portland SE Results.xlsx  
Copy of Portland SE Results JW.xlsx

I just think I sent mine to you (with Means and RSLs) I haven't done anything with soil data as they had some analysis done. Happy to have you post mine – here it is again.

**From:** McClintock, Katie  
**Sent:** Friday, March 04, 2016 4:46 PM  
**To:** Wroble, Julie <Wroble.Julie@epa.gov>  
**Subject:** Re: Portland SE Results.xlsx

Actually we have the plan, I'll look at the map. You too! Can you send me your version? I'm gonna post on one drive unless you think I shouldn't. I can do their version of you would rather, but this is good info for all to have!

Sent from my iPhone

On Mar 4, 2016, at 4:45 PM, Wroble, Julie <Wroble.Julie@epa.gov> wrote:

I don't know where samples are being collected but Paul thinks we'll get that with the plans/figures soon.

Talk to you next week.

I've added means and RSLs to air table.

**From:** McClintock, Katie  
**Sent:** Friday, March 04, 2016 4:41 PM  
**To:** Wroble, Julie <Wroble.Julie@epa.gov>  
**Subject:** Re: Portland SE Results.xlsx

Thanks for sending. These are so great to see. Noticeable drop off. There wasn't a day where total chrome was less than 20 if I remember correctly, during October. Cadmium is

also significantly lower with no peaks.

## Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process I look forward to pooling over the numbers more myself. Do you know if they sampled in the exact spot in the Fred Meyer parking lot again? I think the daycare is slightly south of the corporate building. I assume that is the 'Portland daycare' they refer to.

Sent from my iPhone

On Mar 4, 2016, at 4:35 PM, Wroble, Julie <[Wroble.Julie@epa.gov](mailto:Wroble.Julie@epa.gov)> wrote:

Hex chrome exceeds 1E-06, but not 1E-05 risk level. Levels have dropped so maybe prior process was to blame?

Looking forward to digesting later.

**From:** BORISENKO Aaron [<mailto:BORISENKO.Aaron@deq.state.or.us>]

**Sent:** Friday, March 04, 2016 4:21 PM

**To:** Wroble, Julie <[Wroble.Julie@epa.gov](mailto:Wroble.Julie@epa.gov)>

**Subject:** Portland SE Results.xlsx

Here you go. Aaron

<Portland SE Results.xlsx>

<Copy of Portland SE Results\_JW.xlsx>

**To:** McClintock, Katie[McClintock.Katie@epa.gov]  
**From:** Wroble, Julie  
**Sent:** Sat 3/5/2016 12:45:06 AM  
**Subject:** RE: Portland SE Results.xlsx  
Copy of Portland SE Results JW.xlsx

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Talk to you next week.

I've added means and RSLs to air table.

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**Sent:** Friday, March 04, 2016 4:41 PM  
**To:** Wroble, Julie <Wroble.Julie@epa.gov>  
**Subject:** Re: Portland SE Results.xlsx

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Sent from my iPhone

On Mar 4, 2016, at 4:35 PM, Wroble, Julie <Wroble.Julie@epa.gov> wrote:

Hex chrome exceeds 1E-06, but not 1E-05 risk level. Levels have dropped so maybe prior process was to blame?

Looking forward to digesting later.

**From:** BORISENKO Aaron [mailto:BORISENKO.Aaron@deq.state.or.us]  
**Sent:** Friday, March 04, 2016 4:21 PM  
**To:** Wroble, Julie <Wroble.Julie@epa.gov>  
**Subject:** Portland SE Results.xlsx

Here you go. Aaron

<Portland SE Results.xlsx>

**To:** McClintock, Katie[McClintock.Katie@epa.gov]; Narvaez, Madonna[Narvaez.Madonna@epa.gov]  
**From:** Narvaez, Madonna  
**Sent:** Sat 2/20/2016 1:03:48 AM  
**Subject:** Conversation with McClintock, Katie

Narvaez, Madonna 4:26 PM:

Did you leave the call? don't understand why the company won't do the stack test.

McClintock, Katie 4:27 PM:

im on, dunno

## **Ex. 5 - Deliberative Process**

Narvaez, Madonna 4:27 PM:

I was feeling sorry before, but not any more.

Do you know who is talking? Is that Dave Monro?

McClintock, Katie 4:28 PM:

## **Ex. 5 - Deliberative Process**

no, dick pederson?

and paul from or

and jeff i thik for be

bullseye's side

Narvaez, Madonna 4:29 PM:

## **Ex. 5 - Deliberative Process**



Dick Pederson sounds like Dennis McClerran.

McClintock, Katie 4:29 PM:

i agree

## Ex. 5 - Deliberative Process

Narvaez, Madonna 4:32 PM:

## Ex. 5 - Deliberative Process

McClintock, Katie 4:32 PM:

yeah

he brought container up so he probably knew the answer anyway

Narvaez, Madonna 4:33 PM:

Didn't you say that data from Bullseye is cbi anyway?

McClintock, Katie 4:33 PM:

no i didn't say anything cbi

from tri

Narvaez, Madonna 4:34 PM:

They can look it up on TRI.

McClintock, Katie 4:34 PM:

and msds chemicals used are not cbi (just quantities)

yep, it is all public info

based on question, they probably knew it already

Narvaez, Madonna 4:35 PM:

## **Ex. 5 - Deliberative Process**

McClintock, Katie 4:35 PM:

## **Ex. 5 - Deliberative Process**

Narvaez, Madonna 4:36 PM:

## **Ex. 5 - Deliberative Process**

Narvaez, Madonna 4:38 PM:

I think we can learn a lot about the communication of concerns about the heavy metals here. We should do some planning about Spectrum.

McClintock, Katie 4:38 PM:

i hope we can

Narvaez, Madonna 4:39 PM:

## **Ex. 5 - Deliberative Process**

McClintock, Katie 4:39 PM:

Ex. 6 - Deliberative Process

their raw materials handling is really quite superb

people mixing where full face masks, coveralls, etc. The rooms have air intakes to baghouse at every point they handle the raw materials

Narvaez, Madonna 4:40 PM:

Susan studied cadmium in her master's. the effect of too much cadmium is basically having a bad headache at work and then not waking up after going to sleep!

McClintock, Katie 4:41 PM:

that isn't what i have heard from oha

yeah, i've read some of the acute cadmium stuff

scary

Narvaez, Madonna 4:41 PM:

This was data from workers.

McClintock, Katie 4:42 PM:

## **Ex. 5 - Deliberative Process**

Narvaez, Madonna 4:42 PM:

That is good. I wish there was someone who answer that.

McClintock, Katie 4:42 PM:

furnaces naturally draft out (even if a door is open), and door is always closed during active melting (offgassing).

Narvaez, Madonna 4:43 PM:

## **Ex. 5 - Deliberative Process**

Aermod isn't good for air toxics modeling.

McClintock, Katie 4:45 PM:

very

and silly

## **Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

Narvaez, Madonna 4:47 PM:

**Ex. 5 - Deliberative Process**

McClintock, Katie 4:48 PM:

**Ex. 5 - Deliberative Process**

Narvaez, Madonna 4:48 PM:

**Ex. 5 - Deliberative Process**

McClintock, Katie 4:48 PM:

i don't see a downside

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

Narvaez, Madonna 4:49 PM:

**Ex. 5 - Deliberative Process**

McClintock, Katie 4:49 PM:

yeah

Narvaez, Madonna 4:51 PM:

Their chemists must know what is going on with the chromium, whether the Cr+3 breaks down into Cr+6

Can they certify the letter? :-)

McClintock, Katie 4:52 PM:

hah, it certainly isn't a contract

or enforceable

Narvaez, Madonna 4:53 PM:

The public will freak out if Bullseye doesn't tell them what is in the letter.

McClintock, Katie 4:53 PM:

## Ex. 5 - Deliberative Process

Narvaez, Madonna 4:54 PM:

### Ex. 5 - Deliberative Process

McClintock, Katie 4:55 PM:

## Ex. 5 - Deliberative Process

Narvaez, Madonna 4:56 PM:

Well, they are kind of capitulating to industry.

McClintock, Katie 4:58 PM:

at least in meeting. i wonder what they will think afterwards.

i don't hear deq agreeing either or not promising further action when they restart

did i miss that?

Narvaez, Madonna 4:58 PM:

No. I thought that was cute of the lawyer to ask. You never know until you ask! :-)

McClintock, Katie 4:59 PM:

yeah

Narvaez, Madonna 4:59 PM:

I wonder if Dick is going to call Dennis tonight?

McClintock, Katie 4:59 PM:

maybe, they do talk regularly

i'll include info in my daily update too

though i can't start that until **Ex. 6 - Personal Privacy**

Narvaez, Madonna 5:00 PM:

Jan is off today. She was just on the daily update call.

## **Ex. 6 - Personal Privacy**

McClintock, Katie 5:01 PM:

fun

i'd love to be at the meeting monday, but we'll see

Narvaez, Madonna 5:02 PM:

Hopefully, there will be a phone in opportunity. You'd need to leave Sunday, right?

McClintock, Katie 5:02 PM:

i could drive down early monday. sound like they are meeting monday afternooon. Wish zach could come but i don't think he can. i think he **Ex. 6 - Personal Privacy**

okay, off i go, talk to you monday

## **Ex. 6 - Personal Privacy**

Narvaez, Madonna 5:03 PM:

Me, too. Have a good weekend.

**From:** Narvaez, Madonna

**Location:** R10Sea-Room-15Birch/R10-Rooms-Service-Center

**Importance:** Normal

**Subject:** FW: Heads up on PDX metals issue: Bullseye Glass; Ex. 6 - Personal Privacy code: Ex. 6 - Personal Privacy

**Start Date/Time:** Fri 2/5/2016 9:00:00 PM

**End Date/Time:** Fri 2/5/2016 10:00:00 PM

-----Original Appointment-----

**From:** Narvaez, Madonna

**Sent:** Friday, February 05, 2016 11:07 AM

**To:** Narvaez, Madonna; Dossett, Donald; Downey, Scott; Hedgpeth, Zach; Bray, Dave; Elleman, Robert; Islam, Mahbubul; Koprowski, Paul; McClintock, Katie; Wroble, Julie; Franklin, Richard

**Subject:** Heads up on PDX metals issue: Bullseye Glass; Ex. 6 - Personal Privacy code: Ex. 6 - Personal Privacy

**When:** Friday, February 05, 2016 1:00 PM-2:00 PM (UTC-08:00) Pacific Time (US & Canada).

**Where:** R10Sea-Room-15Birch/R10-Rooms-Service-Center

**From:** Holsman, Marianne  
**Location:** RA Conference Room, [Ex. 6 - Personal Privacy] code: [Ex. 6 - Personal Privacy]  
**Importance:** Normal  
**Subject:** FW: Daily Updates on Portland Air Toxics  
**Start Date/Time:** Thur 2/25/2016 4:30:00 PM  
**End Date/Time:** Thur 2/25/2016 5:00:00 PM

Here's the time and call-in number for today's call on the art glass situation.

-----Original Appointment-----

**From:** Holsman, Marianne  
**Sent:** Tuesday, February 16, 2016 4:13 PM  
**To:** Holsman, Marianne; Davis, Matthew; Bray, Dave; Hastings, Janis; Koprowski, Paul; Narvaez, Madonna; Smith, Judy; McClintock, Katie; Koerber, Mike; Davis, Alison; Barber, Anthony; Terry, Sara  
**Cc:** McLerran, Dennis; McLeod, Julianne; Downey, Scott; Moon, Wally; Bremer, Kristen; Fairchild, Susan; Matthews, Julie; Pirzadeh, Michelle; Leefers, Kristin  
**Subject:** Daily Updates on Portland Air Toxics  
**When:** Thursday, February 25, 2016 8:30 AM-9:00 AM (UTC-08:00) Pacific Time (US & Canada).  
**Where:** RA Conference Room, [Ex. 6 - Personal Privacy] code: [Ex. 6 - Personal Privacy]

Hi Folks:

Thought at least a morning update each day would help everyone know what is happening given how dynamic things are right now. May want to do an end of day wrap as well.

If you can't make the updates, please send me and Jan an email and we'll report for you.

The idea is we each report on what we know and are working on currently. Simple!

Thanks!



**From:** Chow, Alice  
**Location:** Conference Call  
**Importance:** Normal  
**Subject:** ATRA call  
**Start Date/Time:** Thur 3/17/2016 3:30:00 PM  
**End Date/Time:** Thur 3/17/2016 5:00:00 PM

**Call in:** Ex. 6 - Personal Privacy  
**Code:** Ex. 6 - Personal Privacy

Hi, the regularly scheduled ATRA is being moved to Thursday, 3/17 from 11:30am-1pm due to the rapidly changing information gathering request from OAR on art glass facilities nationwide. If you don't know by now, you will have an opportunity to find out more on 3/17! We will have Katie McClintock, R10, discuss the art glass issue with you. Perhaps by next week, we will also have a better understanding on how to handle these types of sources from Janet McCabe going forward.

Also, if you have any additional topics you would like to add to the agenda, please feel free to let me or Carol Ann know.

Alice